

CNR No.JHKH010007612026.
IN THE COURT OF SESSIONS JUDGE, KHUNTI.
Present: Rasikesh Kumar.

Bail Petition No.147/2026.
Basant Nayak **Accused/petitioner.**
Versus
State of Jharkhand.

14-07-2026: Heard the learned counsel Sri Kundan Kumar Pandey for the accused-petitioner **Basant Nayak** S/o Gandru Nayak and the learned PP appearing on behalf of the State, in connection with Torpa PS Case No.16/2026 corresponding to GR No.225/2026 registered u/s 103(1) of the BNS 2023.

The Learned Counsel for the accused-petitioner

submitted that earlier one Anticipatory Bail Petition bearing No.66/2026 was filed on his behalf which is withdrawn but thereafter no bail petition whatsoever has been preferred on his behalf either before this court or before the Hon'ble Court. The petitioner is innocent and has been falsely implicated in this case. No incriminating article is recovered from his conscious possession. The occurrence is said to be taken place on 09-02-2026 while the deceased died in the RIMS on 09-03-2026, therefore, this case does not fall within the ambit of section 103 of the BNS by any stretch of imagination. If the occurrence as alleged in the written report is taken into consideration for the shake of argument even then the petitioner had no mens-rea while

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he allegedly assaulted the deceased. Chargesheet has already been submitted in this case against the petitioner followed by cognizance of offence under the offence i.e. culpable homicide not amounting to murder u/s 105 of the BNS. The petitioner is facing rigor of law since 22-04-2026, therefore, he may be released on bail.

On the other hand the learned PP opposed the prayer of bail and submitted that though the petitioner assaulted the deceased Tinku Ram on 09-02-2026 who succumbed to the injury caused to him on the same day during treatment in the RIMS on 09-03-2026. The postmortem report of the deceased reveals that he died due to multi organ failure because of lack of oxygen delivery (para-28 of the case diary). The learned PP further referred para-5, 6, 11 & 12 of the case diary and submitted that witnesses examined u/s 180 of the BNSS have supported the case of prosecution. This case is likely to be committed therefore, bail petition filed on behalf of the accused-petitioner may kindly be rejected.

Regard being had to the discussions as herein above and taking into consideration seriousness & gravity of the offence, **this court is not inclined to release the**

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accused-petitioner above named on bail.

In the back drop bail petition filed on behalf of the accused-petitioner **Basant Nayak** is hereby **rejected**.

Let, an authenticated copy of this order be supplied to the accused-petitioner.

(Dictated)

Sd/-
(Rasikesh Kumar)
Sessions Judge,
Khunti.